

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

W.P(C).No. 31944 of 2007(C)

PETITIONER:

MANJU KOSHI, D/O.P.K.KOSHI,
PARAKKAL HOUSE, KOOTTICKAL P.O.

BY ADV. SRI.SUNIL V.MOHAMMED

RESPONDENTS:

1. THE KOKKAYAR GRAMA PANCHAYAT,
KOOTTICKAL P.O.-686516,
REPRESENTED BY ITS SECRETARY.
2. THE KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHIEF ENVIRONMENTAL
OFFICER, IDUKKI DISTRICT - 685 602.
3. THE RELIANCE COMMUNICATIONS LTD.,
38/628, A & D ARCADE, S.A.ROAD,
KOCHI-682 011.
4. REV.M.C.VARKEY, MOOTHASSERIL,
NARAGAMPUZHA, KOOTTICKAL P.O.,
IDUKKI DISTRICT - 685602.

BY ADV.SRI.CHANDRAMOHAN DAS, SC FOR PCB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 29/10/2007, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

= = = = =
W.P.(C) No. 31944 OF 2007 C
= = = = =

Dated this the 29th October, 2007

J U D G M E N T

The prayer in this writ petition is to direct the 1st respondent to take appropriate steps to shift the Tele-communication Tower installed by the 3rd respondent in the property of the 4th respondent. Petitioner has produced Ext. P1 stop memo issued by the Panchayat and the allegation is that contrary to Ext.P3 the tower was installed. Counsel for the petitioner submits that in an appeal filed against Ext. P1 to the Tribunal for Self Government Institutions, an interim order has been obtained by the 3rd respondent and that it is on the strength of the same that installation has been completed. If that be so, I see no justification for interfering in this matter, at any rate, now.

2. Now that a statutory authority is seized of the issue, this Court will not be justified in interfering with it. If the petitioner is so aggrieved it will be open to him also to get himself impleaded in

the proceedings in the Tribunal and pursue his contentions.

Writ petition is disposed of as above.

**ANTONY DOMINIC
JUDGE**

jan/-